

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

NEW YORK LIFE INSURANCE COMPANY,

Plaintiff,

v.

No. 2:22-cv-813 KG/KRS

PAUL M. ARAGON,  
JOSEPH E. FITZPATRICK, III,  
and DANIEL FITZPATRICK,

Defendants.

**ORDER STAYING CASE**

**THIS MATTER** comes before the Court *sua sponte*. On May 30, 2023, the Court granted Plaintiff's Motion for Deposit and Related Relief, (Doc. 14), ordered Plaintiff to deposit with the Court the insurance funds at issue, and enjoined Defendants from instituting or prosecuting any proceeding affecting the policy or insurance funds until further order of the Court. (Doc. 19). The Court also ordered Plaintiff to provide the Court with quarterly updates on the status of Defendant Paul M. Aragon's criminal proceeding. *Id.* Plaintiff filed the first of these reports on July 14, 2023, stating that Defendant Aragon's criminal case is still pending in the Estancia District Court, and a jury trial is set for October 30, 2023. (Doc. 25). On June 14, 2023, Defendant Daniel Fitzpatrick filed a Motion to Release Life Insurance Funds, asking the Court to release the life insurance funds to Defendants Daniel and Joseph Fitzpatrick. (Doc. 22).

Considering this procedural posture, the Court hereby STAYS this case pending the outcome of Defendant Aragon's criminal proceeding. Plaintiff shall continue to provide the Court with quarterly updates on the status of the criminal proceeding.

Additionally, the Court HOLDS IN ABEYANCE a ruling on Defendant Daniel Fitzpatrick's Motion to Release Life Insurance Funds, (Doc. 25), until the stay in this case is lifted.

  
UNITED STATES DISTRICT JUDGE